

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

C. JACKSON HOOVER, <i>et al.</i> on behalf of themselves and all others similarly situated,)	
)	
)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	No. 1:21-cv-01299-SEG
)	
)	
STRATEGIC CAPITAL PARTNERS, LLC, <i>et al.</i> ,)	
)	
)	
)	
<i>Defendants.</i>)	

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT**

Under Federal Rule of Civil Procedure 15(a)(2), and for the reasons set forth in the accompanying and contemporaneously filed Brief in Support of Motion for Leave to File Second Amended Complaint, Plaintiffs respectfully move this Court for leave to file a Second Amended Complaint that addresses this Court's holding that Plaintiffs had not sufficiently alleged facts that would plausibly suggest that Defendants Frazier & Deeter and Cherry Bekaert f/k/a Conexus knew that the representations contained in the Schedule K-1s and associated cover letters were fraudulent. *See* MTD Order at 142-145 and n. 48; *see also* MTD Order at 199, 205-206. Plaintiffs attach to this Motion a redlined and clean version of the proposed Second Amended Complaint for the Court's convenience. As set out in the

accompanying Brief in Support of Motion for Leave to File Second Amended Complaint, the Motion should be granted.

This 18th day of September, 2023.

Respectfully submitted,

/s/ Jeven R. Sloan

David R. Deary (admitted *pro hac vice*)
W. Ralph Canada, Jr. (admitted *pro hac vice*)
Jeven Sloan (GA Bar No. 652727)
Tyler M. Simpson (admitted *pro hac vice*)
John McKenzie (admitted *pro hac vice*)
Donna Lee (admitted *pro hac vice*)

DEARY RAY LLP

12377 Merit Drive, Suite 900
Dallas, Texas 75251
(214) 572-1700 Telephone
(214) 572-1717 Facsimile
davidd@dearyray.com
ralphc@dearyray.com
jevens@dearyray.com
tylers@dearyray.com
johnm@dearyray.com
donna@dearyray.com

Edward J. Rappaport (GA Bar No. 594841)
erappaport@saylorlaw.com

THE SAYLOR LAW FIRM LLP
1201 W. Peachtree Street
Suite 3220
Atlanta, GA 30309
(404) 892-4400 Telephone

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on September 18, 2023, a true and correct copy of the foregoing document was filed with the Clerk of the Court by using the CM/ECF system.

/s/ Jeven R. Sloan _____

Jeven R. Sloan

CERTIFICATE OF CONFERENCE

The undersigned conferred with counsel for the Defendants regarding the relief requested herein and was informed that the Defendants oppose this Motion.

/s/ Jeven R. Sloan _____

Jeven R. Sloan

CERTIFICATE OF COMPLIANCE

The undersigned certifies that the foregoing document was prepared using Times New Roman 14-point font in accordance with Local Rule 5.1

/s/ Jeven R. Sloan _____

Jeven R. Sloan